

EXHIBIT C

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03-md-1570 (GBD)(SN) ECF Case
This document relates to: <i>Thomas Burnett, Sr., et al. v. The Islamic Republic of Iran, et al.</i>	15-cv-9903 (GBD) (SN) ECF Case

DECLARATION OF FELIPE DAVID

I, Felipe David, pursuant to 28 U.S.C. § 1746, do hereby declare under penalty of perjury as follows:

1. I am more than 18 years of age and competent to testify in court to the matters stated below. The statements made in this Declaration are based upon my personal knowledge unless otherwise indicated.

2. On September 11, 2001, I was in New York City when the terrorist attacks of the World Trade Center (WTC) Towers occurred.

3. At the time of these attacks, I was a citizen of Honduras. I later became a United States Citizen in 2004. Attached as Exhibit A to this Declaration is a true and correct copy of my current proof of U.S. citizenship.

4. I had been employed with Aramark as a vending machine operator working at the WTC site for approximately seven months prior to the events of September 11th. Attached as Exhibit B to this Declaration is a true and correct copy of my proof of employment with Aramark at the time of these terrorist attacks.

5. I arrived at the WTC's North Tower at approximately 7:30 a.m. on the morning of September 11th. I had been reviewing my product inventory in the stock room of the basement area of the building, which was located between two elevators.

6. At approximately 8:40 a.m., I felt the building shake and rumble, and the ceiling above my head began to fall. I immediately thought that the building could collapse, so I began to walk towards the hallway and the elevators. As I approached the elevators, the building shook violently, and I saw flames begin to form and swirl on the ceiling. As the flames spread across the ceiling, I tried to cover my face. The flames spread quickly and covered my arms and my face, and my jacket and sweater began to burn off in pieces. My face and arms began to burn, so I tried to lie on the ground to put the flames out.

7. As my skin burned, the heat in the hallway rose and I tried to run from the area. Looking for an exit, I ran into an open doorway that turned out to be an office where several people were standing. When they saw my burning flesh, they became fearful and ran from the office. I followed them out of the office area, and I followed them as they ran upstairs and out of the building. I did not stop running until I reached Barclay Street, which was about six blocks away from the North Tower. By the time I arrived on Barclay Street, my skin was hanging off of my face and arms.

8. An ambulance arrived, and the paramedics cut open my pants and transported me to New York University (NYU) Hospital. Upon my arrival at the hospital, the clothing on my upper body had mostly burned away. I was able to walk but I had no feeling in my face, arms, and hands due to my burn injuries.

9. After I arrived at NYU, the doctor asked about my family and he cut off my wedding ring to ease the pressure in my ring finger. The hospital contacted my family members, including

my wife and my sister-in-law, to inform them of my medical situation. I fell into a coma shortly thereafter, and I did not wake up until six weeks later.

10. When I woke up, I saw my wife by my bedside, and I had been moved to NY-Presbyterian/Cornell Weill Hospital. A few days later, my wife brought my daughter, who was 7 years old at the time, to see me. She cried when she saw the severity of my burn injuries.

11. Attached as Exhibit C to this Declaration is a true and correct copy of my relevant documents and medical records¹ related to the treatment that I received following the September 11, 2001 terrorist attacks. I received devastating physical injuries during the 9/11 attacks at the WTC, including burns covering thirty-seven percent (37%) of my body, twenty-nine percent (29%) of which were third degree burns². The burns covered my head, face, arms, hands, and my back³. I spent seventy days in the hospital receiving treatment for my various burn injuries, and I endured multiple surgeries that included skin grafting and painful debridement procedures⁴.

12. After my release from the hospital, I underwent physical therapy for my injuries for the next two years. I have significant scarring from my burn injuries, and since my initial release from the hospital, I have undergone additional surgeries on both of my hands and my face, including several additional painful skin debridement procedures.

13. Due to my experience on 9/11 and my memories of that fateful day, I also have received continuous treatment for depression and post-traumatic stress disorder⁵ (PTSD).

14. My physical and emotional injuries from 9/11 have also been confirmed by the September 11th Victim Compensation Fund (VCF)⁶.

¹ See, 9/11 Injury Records of Felipe David (DAVID_MEDS_0001), attached hereto as Exhibit C, at 0001-0038.

² *Id.* at 0002, 0010, and 0038.

³ *Id.* at 0006, 0008-0011, 0016, 0018-0020, 0023-0026, 0030-0036, and 0038.

⁴ *Id.* at 0004-0005, 0011, 0018-0020, 0025, 0030, 0032, and 0038.

⁵ *Id.* at 0002, 0013, 0022-0024, and 0027.

⁶ *Id.* at 0002.

15. I previously pursued a claim (Claim Number VCF 212-003342) through the September 11th Victim Compensation Fund specifically related to my physical injuries incurred as a result of the September 11, 2001 terrorist attacks, and my claim was determined to be eligible.

I DECLARE, VERIFY AND STATE UNDER PENALTY OF PERJURY that the foregoing is true and correct.

DATED this 8th day of JANUARY 2024.


Declarant Felipe David

**EXHIBITS
FILED
UNDER SEAL
(ECF No.
5716)**